

RESOLUTION NO. 2016-27

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING REFERRAL OF A BALLOT QUESTION TO THE QUALIFIED ELECTORS OF THE CITY AT THE GENERAL ELECTION ON NOVEMBER 8, 2016, WITH RESPECT TO A TEMPORARY INCREASE TO THE CITY'S SECONDARY PROPERTY TAX AND AUTHORIZATION FOR THE SALE AND ISSUANCE OF BONDS OF THE CITY OF FLAGSTAF, ARIZONA IN A PRINCIPAL AMOUNT UP TO \$12,000,000 WITH THE PROCEEDS TO BE DESIGNATED FOR PURPOSES OF MUNICIPAL COURT FACILITIES

RECITALS:

WHEREAS, the City Council may refer a question to the qualified electors of the City concerning whether to approve a temporary increase to the City's secondary property tax and authorize the sale and issuance of bonds, as called for in the City Charter, Article VI, Section 1(a), and Article XVI; and

WHEREAS, the City of Flagstaff desires to provide adequate court room facilities, prosecution facilities, prisoner transport and holding areas, separate circulation and movement for public, jurors, prisoners, and court staff, prosecution staff, space for all court events, as well as staff, jurors and the public and sufficient parking for all of the above; and

WHEREAS, to provide the above mentioned facilities, voter authorization is required to sell and issue general obligation bonds in a principal amount up to \$12,000,000 and to expend funds therefrom for the purpose of design and construction of new facilities for: the municipal court and prosecution staff and paying necessary related costs; for the purpose of design and construction of parking garage or similar structure to enhance municipal court, prosecution staff and public parking availability and paying necessary and related costs; and to pay all costs and expenses properly incidental thereto and to the issuance of bonds; and

WHEREAS, the City Council finds that the facilities described herein valuable needs to be provided to all of the Flagstaff community; and

WHEREAS, the City Council finds that these bonds may be issued in one or more series, will not mature more than 25 years from the date or dates of their issue, will bear interest at a rate or rates not to exceed ____% per annum; and

WHEREAS, the City Council finds the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds, pursuant to A.R.S. §35-454(C); and

WHEREAS, the City Council finds that the facilities proposed to be funded by these bonds will enhance public safety for all of the Flagstaff community; and

WHEREAS, the City Council desires to issue these bonds, if approved by a majority of the qualified electors voting in the City's next regularly scheduled general election on November 8, 2016 (the "Election").

ENACTMENTS:**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**Section 1: Proposition Text.

Pursuant to Article VI, Section 1(a), and Article XVI, of the Flagstaff City Charter, the City Council hereby refers the following text of Proposition XXX for approval by the qualified electors of the City of Flagstaff at the Election and directs the City Clerk to cause the ballot of said General Election to include such Proposition Text:

Proposition XXX:

Shall the City Council sell and issue general obligation bonds in a principal amount up to \$12,000,000 to expend funds therefrom for the purpose of design and construction of new facilities for: the municipal court and prosecution staff including prisoner transport and holding areas, separate circulation and movement for public, jurors, prisoners, and court staff, prosecution staff, space for all court events, as well as staff, jurors and the public and paying necessary related costs; for the purpose of design and construction of parking garage or similar structure to enhance municipal court, prosecution staff and public parking availability and paying necessary and related costs; and to pay all costs and expenses properly incidental thereto and to the issuance of bonds?

Section 2: Form of Ballot Question.

The City Council hereby approves the form of ballot question related to Proposition XXX for presentation to the qualified voters of the City of Flagstaff for the ballot of the Election:

FORM OF OFFICIAL BALLOTOFFICIAL BALLOT

FOR ELECTION TO BE HELD IN THE CITY OF FLAGSTAFF,
ARIZONA, ON NOVEMBER 8, 2016.

QUESTION NO.

Purpose: **Bonds for Municipal Court Facilities**

Amount: **\$12,000,000**

OFFICIAL TITLE: A MEASURE REFERRED TO THE TO THE PEOPLE BY THE CITY COUNCIL OF THE CITY OF FLAGSTAFF RELATING TO THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT OF \$12,000,000 TO DESIGN AND CONSTRUCT MUNICIPAL COURT FACILITIES.

DESCRIPTIVE TITLE: Consideration of the sale and issuance of bonds to provide adequate court room facilities, prosecution facilities, prisoner transport and holding areas, separate

circulation and movement for public, jurors, prisoners and court staff, prosecution staff, space for all court events, as well as staff, jurors and the public and sufficient parking for all of the above, shall the City of Flagstaff be authorized to sell and issue general obligation bonds in a principal amount up to \$12,000,000 and expend funds therefrom:

- for the purpose of design and construction of new facilities for the municipal court and paying necessary related costs;
- for the purpose of design and construction of a parking garage or similar structure to enhance both municipal court and public parking availability and paying necessary related costs and
- to pay all costs and expenses properly incidental thereto and to the issuance of bonds?

The bonds may be issued in one or more series, will not mature more than 25 years from the date or dates of their issue, will bear interest at a rate or rates not to exceed _____% per annum, and will have such other provisions as are approved by the City Council. The following sentence has been included on this ballot as required by Arizona Revised Statutes 35-454(C): The issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

A vote for the bonds shall have the effect of allowing the City Council to issue up to \$12,000,000 in general obligation bonds to design and construct municipal court facilities.

**For the
Bonds/Constructing
Municipal Court
Facilities**

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A vote against the bonds shall have the effect of not allowing the City Council to issue up to \$12,000,000 in general obligation bonds to design and construct municipal court facilities.

**Against the
Bonds/Constructing
Municipal Court
Facilities**

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Section 3. Form of Ordinance.

The City Council hereby directs staff to prepare a form of ordinance to authorize the sale and issuance of bonds for the municipal court facility as described herein for consideration by the City Council at a future public meeting.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY